

02/28/02
1c662 U.S. PTO

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION

jc986 U.S. PTO
10/084615
02/28/02

Assistant Commissioner for Patents
Washington, DC 20231

Atty. Dkt. 249-159

Date: January 29, 2001

Sir:

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:
PLATELET PRODUCTION PROMOTING AGENT

without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract

63 pages of specification and claims (including 19 numbered claims), and

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
Hei 6-25735	Japan	23 February 1994
PCT/JP95/00266		23 February 1995

, respectively, the entire content of which is hereby incorporated by reference in this application..

☒ Certified copy(ies) filed on _____ in prior application no. 08/696,988 filed Aug. 16, 1996

☒ Please amend the specification by inserting the following paragraph before the first line: --This application is a division of Application No. 08/696,988, filed August 16, 1996, now U.S. 6,245,900, the entire content of which is hereby incorporated by reference in this application.--

☒ The prior application is assigned to Kyowa Hakko Kogyo Co., Ltd..

☒ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.

☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

Also attached: Petition to the Commissioner under 37 C.F.R. § 1.182 to Convert Request for Continued Prosecution Application into Request for Divisional Application and Information Disclosure Statement

Inventor: Motoo Yamasaki Japan
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☒ See attached sheet(s) for additional inventor(s) information!!

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By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: _____

Arthur R. Crawford

Serial No.

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New Patent Application Div of

Ser. No. 08/696,988

Atty: Arthur R. Crawford

Serial No.: to be assigned

Date: January 29, 2001

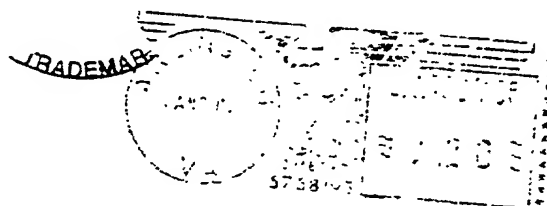
Inventor/s: YAMASAKI et al

C#/M#: 249-159

Title: PLATELET PRODUCTION PROMOTING AGENT

XX Amendment Preliminary
63 Pages Specification, Claims & Abstract
19 Claims
Sheets of Drawings
XX Declaration (2 Pages)
Assignment (Pages) Including Cover
Priority Document(s)
Base Issue Fee Transmittal
\$790.00 Fee (Check)

Other: IDS



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Attention: Office of Assistant Commissioner for Patents

YAMASAKI et al

Atty. Ref.: 249-159

Serial No. to be assigned

Filed: January 29, 2001

For: PLATELET PRODUCTION PROMOTING AGENT

* * * * *

February 28, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.182
TO CONVERT REQUEST FOR CONTINUED PROSECUTION
APPLICATION TO REQUEST FOR DIVISIONAL APPLICATION

On January 29, 2001 papers were filed in the Office for a new divisional application from application Serial No. 08/696,988 filed August 16, 1996. This new divisional application included 63 pages of specification, claims and abstract, 19 claims, copies of the Declaration from the then pending application, a Preliminary Amendment replacing original claims 1 through 14 with claims 15-33 and an Information Disclosure Statement. Attached are true and correct copies of the papers filed on January 29, 2001 as well as a copy of the post card receipt evidencing this filing.

The Preliminary Amendment filed with the original application papers indicates in the remarks portion "This is a division of earlier application Serial No. 08/696,988 filed August 16, 1996" on which the issue fee has been paid. A similar indication of a divisional application appears in the heading of this Preliminary Amendment.

The transmittal sheet accompanying the divisional application papers referred to 37 C.F.R. 1.53(d) which is otherwise known as a Continued Prosecution Application. In fact, counsel intended the application to be submitted under 37 C.F.R. 1.53(b) a divisional application.

Application Serial No. 08/696,988 issued as U.S. patent 6,245,900 on June 2, 2001.

Attached is a request for filing under Rule 53(b).

Petition is hereby made to treat the January 29, 2001 Continued Prosecution Application filing request under Rule 53(d) as a request under Rule 53(b) for a divisional application

Initial filing fees were paid with the papers submitted on January 29, 2001. If additional fees are required, including the fee to have this petition considered, authorization is hereby given to charge them to Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

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